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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Bell)	Art Unit: 3621
Serial No.: 09/448,253)	Examiner: Sherr
Filed: November 24, 1999)	AM9-99-0122
For: SYSTEM AND METHOD FOR AUTHORIZED COMPRESSION OF DIGITIZED MUSIC)	August 10, 2004 750 B STREET, Suite 3120 San Diego, CA 92101

RESPONSE TO OFFICE ACTION

Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

Attempts to reach the examiner by telephone having been unsuccessful, the following remarks are submitted in response to the Office Action dated July 27, 2004, rejecting all pending claims except 6 and 18 under 35 U.S.C. §102 as being anticipated by Cookson, USPN 6,591,365 and rejecting Claims 6 and 18 under 35 U.S.C. §103 as being obvious over Cookson in view of Moskowitz et al. USPN 5,822,432.

Cookson bears a filing date after the present filing date, and accordingly is not prior art to this application. The rejections have been overcome.

Applicant notes that Cookson claims priority to a provisional patent application. However, this provisional application has not been introduced into evidence, nor is there any explanation on the record of how the provisional application might support the relied-upon subject matter in Cookson in accordance with the written description and enablement requirements of 35 U.S.C. §112, first paragraph, as is otherwise

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